

**Unofficial
As of 08/17/10**

**HOOKSETT PLANNING BOARD
MEETING MINUTES
HOOKSETT MUNICIPAL BUILDING
Monday, August 16, 2010**

CALLED TO ORDER

Chair J. Gryval called the meeting to order at 6:05pm

ATTENDANCE – PLANNING BOARD

Chair J. Gryval, Vice-Chair R. Duhaime, D. Marshall, M. Cannata, J. Mudge, F. Kotowski, Town Council Rep. N. VanScoy, B. Perry and Y. Nahikian (arrived 6:15pm).

Excused: D. Hemeon, and Town Administrator, C. Granfield.

REPRESENTING TOWN OF HOOKSETT

Town Planner, Jo Ann Duffy, and Stantec Engineer, Dan Tatem.

J. Gryval: J. Mudge has been nominated and appointed by the Town Council on 8/11/10 as a full member of the Planning Board. This now leaves an open alternate slot on the Board.

APPROVAL OF MINUTES OF 07/12/10

D. Marshall motioned to approve the minutes of 07/12/10. Seconded by F. Kotowski. Vote in favor. B. Perry abstains.

EXTENSION REQUEST

1. HEAD'S POND (#07-42)

Map 3, Lots 1 through 11, 17, 19 through 24, 26 AND Map 14, Lots 2 through 5
Extension to 65-day deadline expires on 8/13/10

David Campbell, Attorney: I represent Manchester Sand & Gravel. With me tonight is Peter Holden from Holden Engineering. Before you is a Development Topics Status & Schedule for Completion. We are requesting an extension through November or December 2010. As you will see, we have targeted December, end of calendar year, for the Board's decision. We have a 5 yr site-specific permit for the entire site. There is the engineering for all roads, lots for a 428 units (except for pads of multi-units). We have our wetland permit that will expire in 2 yrs. No matter what the economy does, we will put in the wetland crossings and dredge and fills before the wetland permit expiration. This also triggers deeds for the Town pond, Audubon, etc. We need to do a Development

Agreement and give lands up front and this should make it easier for the 400, 500 or 600 acres for vesting. The Town will be happier because you will receive the land far before the development happens. A 120-day extension will bring us to Dec 11th. I would like to be before the Board the first meeting in Dec (Dec 6th).

J. Gryval: Wasn't there going to be commercial property put in up there as well for stores or something?

D. Campbell: That is not part of this plan now. Way back it was originally discussed. It is not in the Master Plan. There is not enough business to warrant a small dry cleaning business. The site is far off the beat and track. We will give the Town the common area. Many members of this Board approved a year or 1 ½ yrs for phasing. With the current economy and recovery from this economy, no one would probably open a business there.

J. Gryval: Is this the last extension request?

D. Campbell: Yes.

F. Kotowski: When does the wetland permit expire?

D. Campbell: 2 yrs from now.

F. Kotowski: Is there a plan for 55+ housing?

D. Campbell: No.

*D. Marshall motioned to extend the 65-day deadline from 8/13/10 to 12/20/10.
Seconded by F. Kotowski.
Vote unanimously in favor.*

DISCUSSION

2. SOUTHERN NH PLANNING COMMISSION (SNHPC)- UPDATE David Preece, Executive Director and CEO

David Preece, Exec. Dir. and CEO of SNHPC: It is a pleasure to be here tonight and give you an update. I would like to go over the Town of Hooksett ongoing projects and some projects in the future the SNHPC hopes to be involved with. The Planning Commission was created 44 yrs ago with 6 communities; Hooksett being one of them. It was created for a more comprehensive land use and transportation planning. That was the shell for the SNHPC. There are now 7 more communities and we have the planning commission we now know about. SNHPC is the largest planning commission in the state. We are a metropolitan planning organization to do transportation planning for this region. Transportation is important for lives and economic development. We have completed 30 traffic counts for the Town. We also conducted traffic counts post development for Cinemagic to see whether traffic was an issue. We have been involved with the

signalization warrant for Hackett Hill and I-93 to see if a traffic signal is warranted. Other projects include the Rte 3A access management plan with Hooksett and Manchester. We are also working closely with the Central Regional Planning Commission, because they have 2 communities in that region of Rte 3A. The project is to try to reduce traffic congestion and have the traffic flow more smoothly on Rte 3A. In the next couple of months we will have our ideas to control and access. For land use, we are working on a Hazard Mitigation Plan. We worked with key personnel and Emergency Management. We identified the key structures and facilities in Town to have up to date inventory in the event of a disaster. Worked with Planning Staff on the village mixed use this year. We will come back to this topic at a later time for changes the Town will accept. We also worked on several ordinances for zoning and site plans. We have also worked with the Conservation Commission. We worked on the Farmers Market. Other projects with Emergency Management include a community preparedness program with 13 municipalities to determine what services are needed in the event of a disaster (ice storm, flooding). There are only so many services that go around and regional disaster services are stretched. We want to better prepare communities for natural disasters. For Hooksett's economic development regional plan, we want to bring this item back here and other communities this fall. It has been an exciting year working with Bill Sirak, Chair of the metro center. We are doing a cluster analysis of key industries and businesses for each Town in their region for types of businesses we should be attracting. The emergency technical assistance program includes Planning staff, other staff, surveys and inventory for better energy efficiencies. There are limited funds for this and we want to make recommendations for Town energy efficiencies. Over the past year we completed the Hooksett economic development plan. We will make recommendations for chapters for the Master Plan. And finally, we have the Sustainable Communities Initiative for US housing, transportation and EPA. This will be the first time the 3 agencies are working together for 6 livability principles to make communities sustainable. If we are successful with the grant, 9 regional planning commissions will be working in partnership with state departments. Communities within the regions will come up with a plan for transportation, housing, environment, and economic development. We will all have the same plan, template, and process. For success we need this grant and your letters of support. When the plans are completed and interfaced, we will have a statewide plan for the future and be prepared for challenges in the future.

J. Gryval: Have you discussed this with the Town Council?

D. Preece: Yes, however the Council decided not to support it?

N. VanScoy: Other members of the Council, in my opinion, didn't understand the sustainable initiative. I think the Council felt that if they supported the initiative, they were supporting rail transportation.

M. Cannata: Your goals are quite amiable, and quite overwhelming. Do you have staff for this and if yes, what is your timeframe?

D. Preece: Yes we have the staff. Our timeline is 3 yrs. The first 9 months we are working with state agencies and 8 regional planning commissions for a template we will all follow. The Next 1 ½ yrs. we are creating the plan with citizens, groups, and businesses. The last 6 months we are working with communities' ordinances and Master Plans.

F. Kotowski: Intermobile transportation, with this bring efforts of many communities to where we will interface recreational trails?

D. Preece: It will foster and promote all forms of transportation. Pedestrian and bike trails were ignored in the past. This year bike groups in our region go together to form the Regional Trails Alliance (RTA). There is only so much money for transportation for the rails-to-trails projects. We were very successful this last round for the transportation enhancement grant from Salem to Derry, and 1 link the west side of Manchester at the Piscataqua River to another link to the heart of Goffstown. A person in Goffstown could ride their bike to the center of Manchester. Once we can connect Derry to Londonderry, there will be a significant trail system. Along with the Hooksett Kawanis, the RTA wants to bring all groups together and have them start talking to each other.

D. Marshall: Jo Ann, I thought we told Carol to strongly support this sustainable initiative. We should send a letter to the Council that the Planning Board is in support of this and list key items from David Preece' letter. I think we are missing the boat if we don't support this.

D. Marshall motioned to send a letter/ memo from the Planning Board to the Town Administrator and Town Council that the Board voted unanimously to strongly request the Town Council take advantage of the Sustainable Communities Regional Planning Grant (Sustainable Communities Initiative). Seconded by N. VanScoy.

R. Duhaime: New objective, a lot of going green shop and stay in the same community. This is not way off base for Hooksett.

D. Preece: The idea is to put back into the community what you take out.

Vote unanimously in favor.

J. Gryval: Thank you.

D. Preece: It is a pleasure working with you and your Town officials.

COMPLETENESS

- 3. CROWN COMMUNICATION, INC. (plan #09-11)**
210 Whitehall Road, Map 15, Lot 86-1
Site plan for the proposed construction of a 150' multi-user monopole tower. The ground space is 10,000 sq. ft. of which a portion will initially consist of a fenced

wireless communications compound area measuring 2,500 sq. ft. At the compound area, AT & T proposes to install: a) 12' x 20' equipment shelter inside the fencing, and b) 4' x 11' diesel powered generator on concrete pad outside the fencing (used for back-up power only in the event of an emergency).

J. Duffy: I recommend the Board find this application complete.

D. Marshall motioned to find the application complete. Seconded by N. VanScoy.

R. Duhaime: We saw this back 1 year ago. Is it the same plans?

Jim Donahue: Yes, we just moved the tower 20 ft towards the street and updated a few items from the TRC meeting.

Vote unanimously in favor.

PUBLIC HEARING SCHEDULED FOR 9/13/10.

CONTINUED PUBLIC HEARINGS

- 4. WAYNE E. KENNEY BLDRS/ANGELINE & MICHAEL PINARD (#10-10)**
19 & 21 Coaker Avenue, Map 45, Lots 124 & 125
Lot line adjustment to take 2,000 sq ft from lot 124 and add it into lot 125 then subdivide lot 125 into 3 residential building lots.

J. Gryval: Read Molony abutter letter into the record.

J. Duffy: The Board can act on the waivers. This is a continued public hearing to hear from the public.

D. Marshall: What are the staff recommendation on the waivers?

J. Duffy: For overhead utilities, we have faced this problem before with a neighborhood that has existing overhead utilities. As for the URD zone, they are only required to have 90 ft of frontage. 9,000 sq ft minimum is tough to meet the requirement.

D. Tatem: We have no issue with the site specific soil waiver.

Waiver #1 – overhead utilities.

***D. Marshall motioned to grant waiver #1 above. Seconded by R. Duhaime.
Vote unanimously in favor.***

Waiver #2 – Site specific soil mapping.

***R. Duhaime motioned to grant wavier #2 above. Seconded by D. Marshall.
Vote in favor. N. VanScoy opposes. Motion carried.***

D. Tatem: In my August 11th letter, once Don completes the updates that takes care of all our comments.

Open public hearing

James Molony, 18 Coaker Ave.: I submitted the letter that was read into the record this evening. My concerns are about safety, water, and the visibility issue at that corner. There is a lot of run off and you guys are doing some work on Alice Ave. The winter runoff freezes up. Also this is a bus route for public schools. A lot of traffic comes through on this road and visibility is tricky. I am worried about plantings or fencings looking down Alice from Coaker. My wife thought it odd to make 3 lots out of just 2 lots. They are asking for a hardship from a hardship.

J. Gryval: They are not asking for a hardship. The zoning requires 90 ft of frontage, so there is no waiver for the lot size.

J. Molony: The corner?

J. Gryval: Engineers have said when the drainage is complete, water will not be a problem.

D. Tatem: The Highway Mgr and Don met with the applicant at the site. There has been a drainage issue in the past and it outlets in the middle of these two properties. The applicant will replace two pipes and have a drainage easement to connect from Elmer to Coaker. Dale Hemeon said that was the main issue causing drainage. We did not do, nor did the applicant provide, a drainage analysis. This was agreed to with Highway.

J. Molony: My only real concern is that this is a family neighborhood and a bus route.

J. Gryval: I live on Elmer and am aware of the problem.

Don Duval: On Friday, George Grant, Dale Hemeon and the applicant met. The original drainage easement was going to be with Mr. Grant and the abutter to the north. Dale said he would prefer to have the easement with one abutter. Now it is just Mr. Grant on the easement.

F. Kotowski: Is the agreement with George Grant?

D. Duval: Yes, the agreement has been drawn and reviewed by your Town Counsel and it will be signed this week.

Close public hearing

J. Duffy: Per the regs, he does need a minimum buildable area waiver for all 3 lots.

Waiver #3 – minimum buildable area.

D. Tatem: 10,000 sq ft is the smallest lot allowed. The URD allows 9,000 sq ft. We have 5 technical comments in nature per my Aug 11th letter.

D. Marshall motioned to approve the application conditional:

- All review fees are paid-in-full
- LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 2 mylars, 11 paper copies (22x34), 1 paper copy (11x17), and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction (see letter dated August 11, 2010 from Stantec)
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- Letter from Manchester Water Works stating they have capacity and approve this project
- Letter from Hooksett Sewer Commission stating they have capacity and approve this project
- Town Attorney review fee of 3 drainage easements payable to Town of Hooksett is submitted to the Planning Dept.
- Executed drainage easements: 1) Wayne E. Kenney Builders LLC to Town of Hooksett, and 2) George Grant & Sharon LaCroix to Town of Hooksett. These easements are to be submitted to the Planning Dept. for recording with the final mylars.
- Recording fees for each easement payable to Town of Hooksett and submitted to the Planning Dept.
- Applicant agrees to attend a required pre-construction meeting after (a) all bonds are submitted and approved, (b) site plan compliance monitoring escrow is in place and the Inspection Funding Agreement is signed and submitted, and (c) the plans are signed and recorded
- Applicant agrees to site plan compliance monitoring
- Applicant agrees to remit **\$16,838** in impact fees 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39 (Roadways: \$2,840; Schools: \$9,956; Public Safety: \$2,652; Recreation: \$1,390 TOTAL: \$16,838 = \$5,612.67 per each of the 3 lots)
- All waivers noted on plan
- Note on plan "Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested."

Seconded by M. Cannata

Vote unanimously in favor.

5. Southern NH University (SNHU) (#10-04)

North River Rd, Map 33, Lot 67

Proposal to construct a 1-story operations center (26,711 sq ft footprint and a 6,156 sq ft mezzanine), associated access, and parking.

Jeff Kevan, TF Moran: This application is for the operations facility in the back end of the parking lot as you come off North River Rd. We have been working with the Town and State for the review process. We have a couple of waivers outstanding. Everything else has been addressed with staff. We have the AOT, and septic has been approved pending the wetlands bureau. There are 2 culvert swales to a bio-retention area. We have multiple sheets for lighting. We agreed with Stantec that these are not detention ponds; they are bio-retention areas.

D. Tatem: The drainage comments have been addressed with waivers and there are no outstanding comments.

J. Duffy: The only 2 waivers left are for landscape and 3' under paved roads.

R. Duhaime: The Aesthetic Committee met with him and his elevations and landscape are all set. The only thing was the large white roof and they have changed the color.

J. Kevan: The building is 600 ft away from I-93. We originally had all green on the building, but we have now broken that up with color. It is 1,000 ft away from North River Rd.

R. Duhaime: The wetlands to the north doesn't make it possible for an abutting building in the future.

J. Kevan: The nearest future building is 700 ft away.

Y. Nahikian: The pure white roof has changed to a light gray.

J. Kevan: Yes.

Waiver #1 – lighting and landscaping

*D. Marshall motioned to grant waiver #1 above. Seconded by F. Kotowski.
Vote unanimously in favor.*

Waiver #2 – 3' under paved roads

R. Duhaime motioned to grant waiver #2 above. Seconded by D. Marshall.

N. VanScoy: I don't understand the waiver request.

J. Kevan: Explained the 3' criteria.

Vote unanimously in favor.

Open public hearing

No comments.

Close public hearing

R. Duhaime motioned to approve the application conditional:

- All review fees are paid-in-full
- \$25.00 LCHIP check payable to Merrimack County Registry of Deeds is submitted to the Planning Dept.
- 2 mylars, 8 paper copies (22x34), 1 paper copy (11x17), and 1 digital
- All outstanding comments from Stantec are addressed to Stantec's satisfaction (see letter dated August 11, 2010 from Stantec)
- All outstanding Federal, State, and local permits are obtained and submitted to the Town and Stantec
- Letter from Manchester Water Works stating they have capacity and approve this project
- Applicant agrees to attend a required pre-construction meeting after (a) all bonds are submitted and approved, (b) site plan compliance monitoring escrow is in place and the Inspection Funding Agreement is signed and submitted, and (c) the plans are signed and recorded
- Applicant agrees to site plan compliance monitoring
- Applicant agrees to remit \$8,299.13 in public safety impact fees (16,937 sq ft x .49) 10 days prior to the issuance of the Certificate of Occupancy subject to NHRSA 674:39
- Add note on plan that if there is any further development (through road) to the back of this development, 1) the lanes along the north and south sides of the access drive will be eliminated, and 2) the proposed parking spaces through the driveway area will be closed off and there will be additional parking
- All waivers noted on plan
- Note on plan "Approval of this plan shall expire three (3) years from the date of the Planning Board approval, as recorded in the Planning Board Minutes, unless the right to develop has vested."

Seconded by J. Mudge.

M. Cannata: Fire has no comments?

J. Kevan: We coordinated with fire for signage to identify the building.

M. Cannata: Has that been decided?

J. Kevan: The college suggested having a sign similar to their other signage "SNHU Operations Center" with a North River Road address located at the corner where you enter the parking lot at North River Rd.

M. Cannata: And that's ok with fire?

J. Kevan: Yes.

M. Cannata: Will there be an arrow on the sign?

J. Kevan: No.

N. VanScoy: Are you still planning on leaving the parking spaces through the driveway area?

J. Kevan: Yes. If any further development to the back of the development, it will be closed off and have additional parking.

J. Gryval: This should be a note on the plan.

Vote in favor. N. VanScoy opposes. Motion carried.

J. Kevan: Other items being completed on campus include vertical granite curbs & sidewalks, and the parking lot by the softball field that is currently gravel with a wooden guard rail will be paved. We worked with staff and contacted AOT and this will be attached to the AOT permit.

PUBLIC HEARING

6. MERCHANTS LEASING – AUTOZONE, INC. (#10-09)

1279 Hooksett Road, Map 25, Lot 46

Non-residential site plan for the proposed AutoZone, Inc. remodeling of the existing 13,300 sq ft (+/-) furniture store and demolition of the adjacent 2,900 sq ft (+/-) restaurant building on the site in order to construct new sidewalk, parking and landscape areas.

J. Gryval: Read letters into record: 1) Thom DeVos 8/16/10, and 2) Tracey Murphy Roche 8/16/10.

Erin McCloskey, Bergmann Assoc.: Here with me tonight is Curtis Sigler from AutoZone, Inc. The site is located at 1279 Hooksett Rd. and occupied by former Granite State Furniture and existing Topic of the Town restaurant. There are two existing driveways, 24 existing parking spaces, and we are at 83% impervious. We are proposing to demolish the restaurant and renovate the building. We will add parking and landscaping; adding 31 spaces 10x18 and 10x16. The storm water is similar to the existing. We will maintain two existing accesses until the DOT improvements are done, then those accesses will change slightly. We have waiver requests. In the initial review letter from Stantec dated July 1st, we applied from a completeness standpoint and needed the waivers that were due at that time.

Waiver #1 – parking dimensions.

E. McCloskey: 10x18 and 10x16 - we did meet the width but not the length due to site constraints.

Y. Nahikian: I need you to point out the site area on your plan.

D. Marshall: Parking behind the restaurant, is that all new parking?

J. Duffy: Distributed site plan approved in 1989 for addition to back of furniture store.

D. Marshall: I still get concerned when there is parking in a wetland.

J. Duffy: I found out about the parking issue this afternoon.

E. McCloskey: We are strictly dealing with our site, not the Chinese restaurant next door.

J. Duffy: They received approval for an extension of the furniture store. In RK's packet they submitted to us today, they included an older plan from 1981. Now I have found and distributed the 1989 plan with the approval for an addition to the furniture store.

E. McCloskey: The handicapped spaces will remain the same. The spaces closest to the sidewalk are 10x18. Adjacent to the curbing the spaces are 10x16. We are proposing 31 spaces. We are demolishing a restaurant use and adding an auto parts use. I have AutoZone stores in the state that are operating fine with fewer than 31 spaces to include North Hampton at 24 spaces and Claremont at 22 spaces.

N. VanScoy: How many spaces do the regs require?

E. McCloskey: 53 spaces are required.

J. Gryval: Dan do you have any info. for the Board later than July 28th?

J. Duffy: That is the last letter from Stantec.

B. Perry: The stores in comparison, are they similar in sq ft size?.

E. McCloskey: Yes.

D. Marshall: The requirement is 53 spaces and you are providing 31 spaces?

J. Gryval: Another business is in the same building?

E. McCloskey: Our site is adjacent to the restaurant.

R. Duhaime: Delivery vehicles?

E. McCloskey: It is 19 ft to get back to the service area. Trucks will pull forward and then back up. If there is a lot of stuff being delivered, it can be delivered through the front door vs. back.

C. Sigler: Trucks will pull in front and jack knife to the back around that corner.

D. Marshall: Deliveries to the back, does that mean you are traveling on someone else's property?

E. McCloskey: The property is all Merchants.

D. Marshall: Where is the edge of the building and back property? This site plan is confusing at best and involves a lot of detail and planning. If you are delivering to the side of the building, then it should say side not back.

R. Duhaime: Is fire OK with this plan? Parking is 16 ft shorter than the ordinance. Can a trailer back up to the rear doors?

E. McCloskey: It is possible depending on the size of the truck. Also AutoZone makes deliveries with their own trucks

C. Sigler: We can schedule deliveries before opening the store and our manager can assist to load and unload.

Y. Nahikian: Will a trailer be pulling into customer parking and backing up?

E. McCloskey: The largest truck will go into the first couple parking spaces.

Y. Nahikian: What about blind spots?

C. Sigler: We can have deliveries during non-peak hours.

Y. Nahikian: Non-peak hours is different than before opening hours.

C. Sigler: Our trucks call ahead and our manager can block off a couple of parking spaces if needed.

J. Duffy: Parking – site plan from 1989, look at that plan and take off the Chinese restaurant area next door. Now you are just looking at the furniture store and a 40-seat restaurant (Topic of the Town) and auto parts store. They provided 25 parking spaces. There are 3 uses for 25 spaces. The reason 53 spaces are required now is because our regs changed since 1989.

C. Sigler: After AutoZone, there will still be a 2,700 sq ft section of the building available for the landlord to lease out.

B. Perry: The proposed retail space adjacent to where backing up for deliveries will be?

E. McCloskey: 19 ft along the site.

B. Perry: Entrance?

E. McCloskey: Existing.

B. Perry: Parking 27 spaces for AutoZone and 4 shared spaces with other retail?

E. McCloskey: Yes.

J. Gryval: The amount of impervious will be less than what it is now?

E. McCloskey: Correct.

D. Marshall: How do you figure that? You are adding parking to the length of the building.

D. Tatem: If you look behind the building, there is pavement there already.

R. Duhaime: Does it meet the impervious in this zone?

E. McCloskey: It is 3 %.

D. Tatem: This is an existing building. If you guys want to reduce the parking, it is already sized down now. How many parking and how much green space can we provide. They are trying to balance that act. We can say reduce impervious even more. This is a tough decision for us to recommend.

N. VanScoy: For a 19.37 ft truck backing in, is that are currently paved?

E. McCloskey: Yes.

Waiver #2 – site studies

E. McCloskey: It states “not limited to” for studies. What could those be? Some may not be applicable for this project size and nature. This is an existing commercial use going into an existing commercial corridor. We requested the waiver because we wanted the Board to tell us what reports you would like to see.

J. Gryval: You don’t want to provide a drainage study. We are making RK letter/packet dated August 16th part of the record. It is quite a bit to ask not to have a drainage study, when this area gets flooded.

D. Marshall: I know in good conscience I cannot waive a drainage study for any job in this area. We have had nothing but flooding in this area. We don’t know if the DOT

project will resolve all those drainage issues. Also, we don't know if K-Mart improvements will resolve the flooding. If this is segmented what is the next step, we don't know. I am not confident yet, even with DOT construction project, that we have resolved all those issues. The last time we asked Carol to set up a meeting with DOT, RK, Merchants and staff. Now we are getting a little from this one and that one, but not the whole story.

J. Duffy: I did contact DOT, Don Lyford and Rich Radwanski. The only comments I received from them is what they wanted to see once road widening for parking and signage. I reached out and tried to get comments from them.

D. Marshall: Has DOT paid any attention to the owners of K-mart? A lot of these businesses here have to live together. I would hate to grant something and then find out we are no further ahead.

J. Gryval: We need a lot more info. and are only discussing the waivers tonight. We will not act on them at this time.

R. Duhaime: There are a lot of circumstances that go above this Board.

D. Marshall: Maybe I am being unreasonable, but doesn't it seem that all parties should be in the same room at the same time to resolve this? I don't know if there is resistance. I am holding out any of my decisions until that meeting occurs.

M. Cannata: Jo Ann, the RK packet dated Aug 16th; I don't see that the DOT was copied on it.

J. Duffy: I just received the RK packet at 3:30pm today, and I don't know if DOT received it.

R. Duhaime: I don't think Dick is being unreasonable at all.

E. McCloskey: studies are open-ended nature "not limited to". Several may not be needed, and we wanted to discuss with the Board what you will require.

J. Gryval: Waiver not to delineate wetlands?

E. McCloskey: They were delineated by DOT, but the Conservation Commission wants the wetlands reflagged and resurveyed by a wetland scientist. This waiver is no longer needed.

J. Gryval: Waiver for checklist 100' and 200'?

E. McCloskey: Do to timing constraints we requested that waiver, however it is no longer needed.

J. Gryval: Waiver for municipal water infrastructure?

E. McCloskey: We revised the plans, and that waiver is no longer needed.

J. Gryval: Stantec has additional comments. Personally I would love to see an AutoZone there, but the Board needs more info. It is hard to know what you are thinking, when we can't see it on the plan.

R. Duhaime: Aesthetics' wants to look at elevations. Why 2,700 sq ft remaining?

C. Sigler: The landlord of the building sees getting another tenant with income.

J. Gryval: Get together with Stantec and clean up some of the 34 outstanding issues.

Open public hearing

David Baker, RK Associates: We are the property manager for RK Plaza. We welcome AutoZone coming into Hooksett. They are a tenant in other shopping centers we have. The first thing we need to solve is flooding. We are losing tenants such as the dance studio on the agenda. I am on vacation with my family, but this project is important to me and I am here tonight. Parking needs to be addressed for all uses on that property. AutoZone can tell you what they need for parking. We did find in our research that the building was pushed back beyond permits. This is a very busy site consumed by buildings and there are parking issues. Parking is needed for AutoZone, 2,700 sq ft tenant, and the Chinese restaurant. There is also the paintball and cigar shops and parking should be looked at for these uses. The parking there now overflows onto our site for RK. We are not overflow parking. We welcome them finding other ways for them to address parking. The Conservation Commission wants to make the pond as big as possible for flood storage. I asked DOT for a new plan. My letter did go to the Commissioner of the DOT and I mailed hard copies to John Sokul and Michael Sydney. Drainage is the #1 issue and needs to be comprehensively addressed by the landlord. There are standards and checklist items that as an applicant need to be satisfied in the Performance Zone (i.e. .donate ROW, donate drainage ROW). Now Merchants is appealing the permit that DOT got for this project. AutoZone needs to stand alone until such time the DOT does their project. The applicant needs to address and copy RK on this. The Fire Dept. may want large apparatus out back for oils and antifreeze spills.

D. Marshall: When I mentioned Chinese restaurant, it is a separate lot?

E. McCloskey: No all one lot.

Y. Nahikian: I just have a statement. I don't think it is good practice to demolish an existing business to make parking.

D. Baker: AutoZone has no choice. They need to get additional parking.

Ari Pollack, Atty. @ Gallagher, Callahan & Gartrell: We are the counsel for RK Assoc. Referred to his letter dated July 9th. 31 spaces – the issue is not contesting the existing condition that it is providing less, our issue we have is a very large parking area adjacent to our location. If people can't fit and park here, they will naturally park in our lot and walk over. There is no such arrangement here.

John Sokul, Atty. @ Hinckley, Allen & Snyder: We are here on behalf of the owner of the shopping center for AutoZone. Michael Sydney was called to the hospital due to his father being seriously ill and he extends his apologies for not being here this evening. I have been before this Board in the past and we have talked about the highway issues. AutoZone is moving into an existing building. This is a pre-existing non-confirming use, structure and situation. The owner of the parcel can lease the vacant restaurant, but instead entered into a lease with AutoZone and AutoZone wanted to provide more parking. Thus the Topic of the Town restaurant will be torn down and the site will be made better. If they were going into the existing building as is, the traffic impact is similar to the furniture store. We are taking an existing site that is not ideal but has been approved, and is non-confirming. The new user will reduce the impervious, add more parking and landscaping, and for that I don't think they should be penalized. I am not saying anyone is being unreasonable. There is a specific proposal before the Board.

J. Gryval: We are not asking any more from AutoZone than any other applicant before this Board.

Bill Sirak, Chair EDC: I am not here to speak for or against any party. The EDC wants to make best use for the site. The last upgrading comments are very important. I don't think we can ignore Mr. Marshall's drainage study comment. Both Merchants and RK want the flooding issue resolved. Unfortunately I think this evening we came out with a bad start. Hopefully they can come back to you to address those issues and go over the waivers and have a win-win situation. I almost feel I have to apologize for this disjointed discussion.

D. Marshall: It has been 2 months since we have asked for a meeting with all parties and there seems to be a reluctance to have one. We don't want any doubt where everyone is coming from. Without that meeting, I think we are going to be thrashing around for a long time.

B. Sirak: At some point in time, they will need to get together. With proper information, they want to get approved as quickly as they can.

C. Sigler: I apologize as well. AutoZone is basically doing a tenant retrofit and updates to the site. We will have a give and take for parking and green space. I want to go back and get these issues resolved for you. If there was drainage issues between Merchants, RK and DOT before, I don't think that is our issue.

D. Marshall: Apparently you weren't made aware of the drainage issues.

C. Sigler: No, not to this detail.

E. McCloskey: I was attempting to get a cleaner set of plans to Dan before the deadline. We need to send a crew out to the site for surveying.

C. Sigler: The comments will be addressed.

B. Sirak: Money, time and effort has been spent to address the drainage issues. I am hopeful we can get this done together.

M. Cannata: Is it too much to hope the drainage issues are resolved before this comes back to the Board?

E. McCloskey: Deadline to submit revised plans to Stantec?

D. Tatem: Sept 6th for Sept 13th Board meeting.

C. Sigler: Since the 6th is Labor Day, we will try to get the revisions to Dan by Friday Sept 3rd.

D. Marshall: Jo Ann, work with Carol to get a meeting together with Merchants, RK, DOT and staff.

N. VanScoy motioned to continue the public hearing to September 13, 2010. Seconded by R. Duhaine.

Vote unanimously in favor.

PUBLIC HEARING CONTINUED TO SEPTEMBER 13, 2010.

OTHER BUSINESS

7. **ALL OR NOTHING, LLC (#09-12)**
254 West River Road, Map 17, Lot 36
Planning Board 4/5/10 conditional approval status. Site plan is for the proposed construction of a 1-story 5,600 sq ft dance studio building next to the existing pizza shop.

Doug McGuire, Project Mgr @ Woodland Design: Matt met with you a month and ½ ago for a conditional approval. The compliance hearing was rescheduled. At this point we have received all required permits to include the DOT driveway permit. We have two separate septic designs and have received approvals for each of them. We are working with Dan for all outstanding engineering comments. Stantec has provided an updated letter dated Aug 16th ; they have fully signed off. We have a couple of items to address with Jo Ann and Donna.

J. Duffy: This is a compliance hearing. They have already been conditionally approved.

R. Duhaim motioned to accept that the applicant has met the conditions in their approval. Seconded by *N. VanScoy*.
Vote unanimously in favor.

8. SOUTHERN NH PLANNING COMMISSION (SNHPC)
Appointment of alternate

J. Duffy: The Town Council is requesting there be alternates on the SNHPC.

N. VanScoy: The Council is looking for two alternates to have as many appoints as we can for proper representation on the SNHPC. So they want the Board to start looking for some good alternates.

D. Marshall: So that the Council understands, an alternate for the SNHPC would be rarely needed. An alternate would be lost in the learning curve.

N. VanScoy: If the Planning Board believes alternates are not necessary, send the Council a letter.

J. Gryval: I don't see a problem with having an alternate on the SNHPC.

AESTHETIC COMMITTEE - DISPOSITION

J. Gryval: Carol was going to speak to that (Aesthetic Committee).

J. Duffy: Based on the last meeting, I thought she was going back to the Council for what the committee should be doing and what is the make up of the committee. She thought the Planning Board should be making recommendations of what the Board would like to see.

J. Gryval: The Aesthetic Committee is very helpful to us. We should see how it was set up in the first place and try to abide.

N. VanScoy: It does appear from the historic info. I was provided, that it was originally for beautification temporary ideas. I have been gathering quite a bit on it and I would be willing to volunteer to coordinate this information, since I sit on these meetings and Council meetings. Then the Council and Board can provide input on what I find and build on that. I will put together a historical summary and a starting point and add as we go along.

J. Gryval: Nancy, can you e-mail your findings to this Board?

Y. Nahikian: I directed the committee toward architectural review. Beautification is good, but architectural would put them on a different path. Then Rob joined in for landscaping. The way it is going now, it is OK but missing the piece of beautification.

N. VanScoy: I don't think the original intent is what has happened.

RESUBMITTAL DEADLINES

J. Gryval: We have a Stantec letter with 32 comments not addressed. Then at the Board meeting Stantec may say some or all have been addressed. I would say all letters from Dan should be submitted to the Board by end of day Friday, so the Board has a chance to review over the weekend (prior to the Monday night Board meeting). Would it be possible Dan to get letters to us by Friday night so we can review over the weekend? I don't expect you to get letters for our Wednesday US postal packets.

J. Duffy: Thursday receipt of Stantec letters would be better for me to receive, so I can get my comments to you Friday before the meeting.

M. Cannata: What about letters received day of the meeting?

J. Duffy: You (Board) have to accept anything from abutters or general public the day of the meeting or at the meeting, but you don't have to act on it. You could continue the meeting to a future date.

M. Cannata: What does the Chair do? The Chair could draw a hard line and continue the applicant to a future date.

J. Gryval: Any more conditions than 4 or 5 shouldn't be conditionally approved.

PIF TECHNOLIGIES

N. VanScoy: Parking – PIF said nothing would be parked outside. We all know they are parking outside; 2 vehicles parked on dirt and grass.

R. Duhaime: They said vehicles would be inside the building.

N. VanScoy: One truck they keep outside is pretty big and the other one is on the grass. We didn't let the golf carts sit for a day ½. We should enforce this site.

J. Gryval: If a truck is part of their business, and they want to park on their own site?

J. Duffy: They can't park on the grass. I will notify Peter to enforce this.

CEO LETTERS

R. Duhaime: Will we continue to get these change of use letters from Peter?

J. Gryval: He used to just send to the Planning Board Chair, however I asked they get copied by Donna and sent to all Board members.

LEGISLATIVE UPDATES

D. Marshall: Referred to Atty. Buckley legislative updates letter dated July 19, 2010. For alternates, it states we should have a procedure to clarify what we do. At the beginning of each meeting the Chair states which alternate(s) will be voting that night to

replace an absent Board member(s). We should add a sentence that alternates may participate at every meeting as “non-voting” status, so they can express their position but not vote.

*D. Marshall motioned to adjourn at 8:35pm. Seconded by N. VanScoy.
Vote unanimously in favor.*

ADJOURNMENT

Chair J. Gryval declared the meeting adjourned at 8:35pm. The next Planning Board Meeting is at the Hooksett Town Hall Chambers, room 105 @ 6:00pm on September 13, 2010.

Respectfully submitted,

Donna J. Fitzpatrick,
Planning Coordinator